

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

MICHAEL K. REEVES

S. N. 08/925,920

Filed: September 9, 1998



Art Unit: 3634

Examiner: G. Strimbu

For: WHEEL RETENTION DEVICE
HAVING CAVITY AND CLOSURE
FOR SECURING WHEEL THEREWITHIN

AFFIDAVIT UNDER RULE 37 CFR 131

I, Michael K. Reeves, declare as follows:

That I am the applicant who executed and filed the above identified application for Letters Patent for WHEEL RETENTION DEVICE, later changed by amendment to WHEEL RETENTION DEVICE HAVING CAVITY AND CLOSURE FOR SECURING WHEEL THEREWITHIN, against which was cited as reference U.S. Patent No. 5,802,889, to Arnold;

That the cited reference (U.S. Patent No. 5,802,889) was filed April 7, 1997, and granted September 8, 1998; was filed less than one year prior to applicant's effective filing date and allegedly shows but does not claim the same patentable invention;

That the invention illustrated in FIGS. 1-5 of applicant's application was conceived and an embodying wheel retention device with externally rotatable multi-faceted retention ring was constructed and successfully operated in this country prior to April 7, 1997;

That I am the inventor of the invention bearing patent application Serial No. 08/925,920;

That Exhibit A attached hereto shows four fabrication drawings that represent a wheel retention device with an externally rotatable multi-faceted retention ring which was constructed and tested successfully in this country prior to April 7, 1997; that the drawings in Exhibit A embody all of the claimed features of the invention; and that all of the blacked-out dates and facsimile receipt dates on this exhibit are prior to the April 7, 1997, date; and that the other blacked-out regions relate to confidential information;

That I designed and drew the four fabrication drawings that illustrate the above mentioned invention and sent the drawings by facsimile to Mr. James H. Walters prior to April 7, 1997. These are the same drawings as shown in attached Exhibit A;

That Exhibit B attached hereto is a photocopy of a sales advertisement brochure showing an actual working model of a wheel retention device with an externally rotatable multi-faceted retention ring, and that Exhibit B was made prior to April 7, 1997;

That I also mailed to Mr. James H. Walters prior to April 7, 1997, an advertisement sales promotion of the above invention. This is the same brochure as shown in attached Exhibit B.

That prior to April 7, 1997, I oversaw and directed Sportworks Northwest, Inc. employee Olda Zinke in the fabrication of a working model of a wheel retention device having cavity and

closure for securing wheel therewith, as shown in the photos of Exhibit C (attached hereto) and constructed according to the four fabrication drawings of Exhibit A, during the period indicated on Olda Zinke's timesheet (Exhibit D, attached hereto);

That Exhibit C consists of photocopies of six photos of the working model of a wheel retention device with an externally rotatable multi-faceted retention ring made by Olda Zinke in accordance with the drawings of Exhibit A and directed by myself as indicated by the Exhibit D timesheet of Olda Zinke prior to April 7, 1997;

That all of the blacked-out dates which appear in the originals of Exhibits A, B and D are earlier than April 7, 1997; that the other blacked-out regions that appear in the originals of Exhibit A and D relate to confidential information; that the invention described and claimed in the above-identified application was made in the United States; that I do not know and do not believe that the invention was in public use or on sale in this country or patented or described in any printed publication in this country or any foreign country more than one year prior to the filing date of said application; and that I have never abandoned the invention.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or

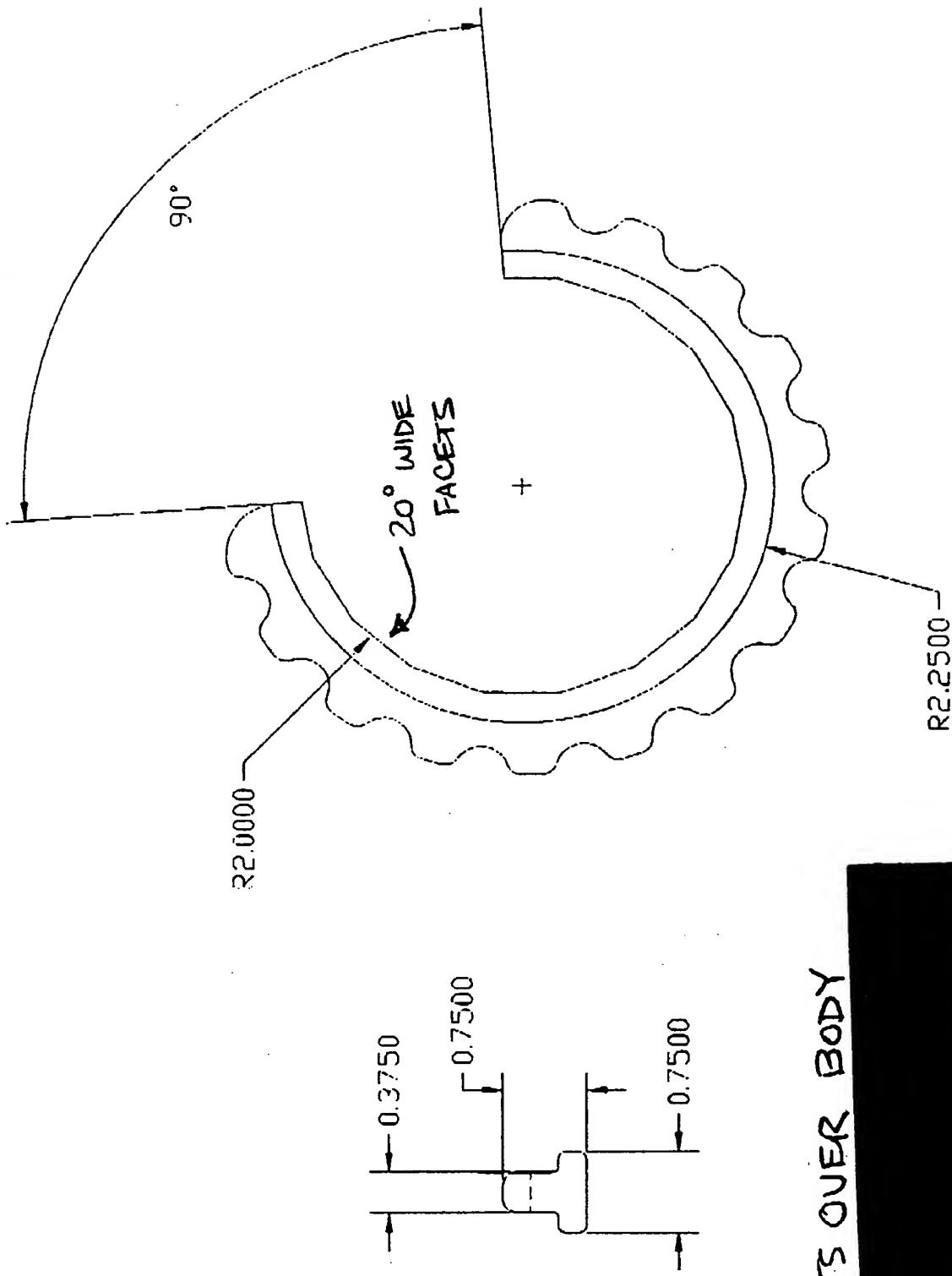
both, under Title 18 United States Code, Section 1001, and that such willful false statements may jeopardize the validity of the subject application or any patent issued thereon.

Michael K Reeves
Michael K. Reeves

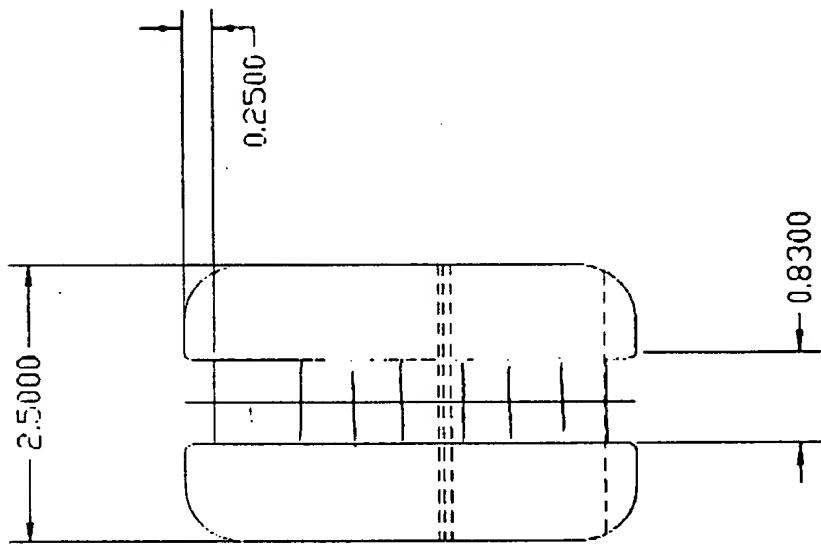
Date: AUGUST 12, 1999

EXHIBIT A

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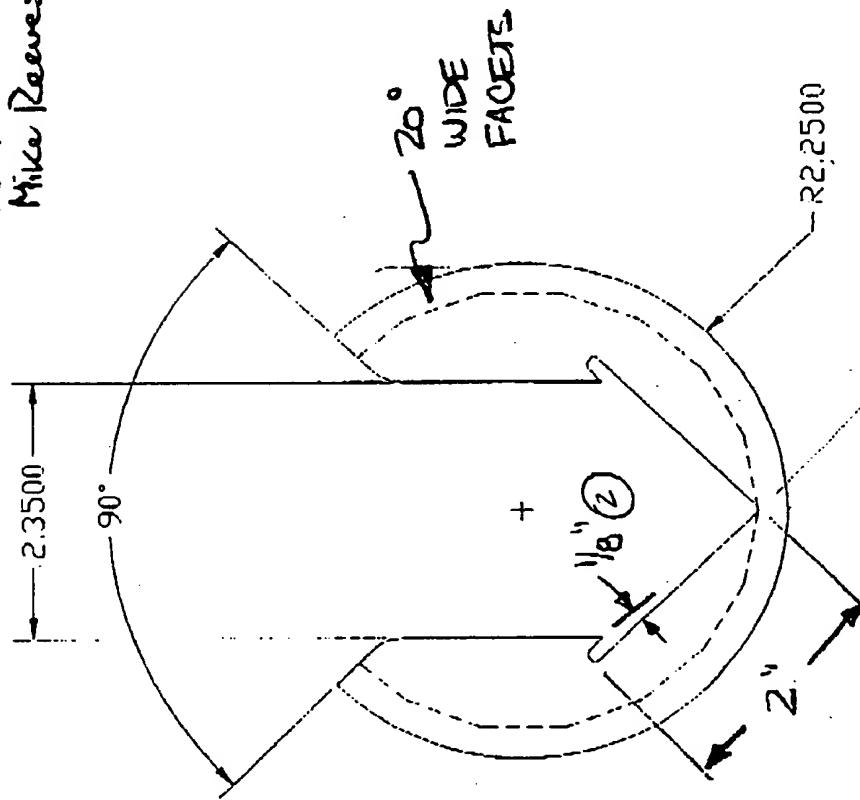


FITS OVER BODY



Attn
James
Walters
from
Mike Reeves

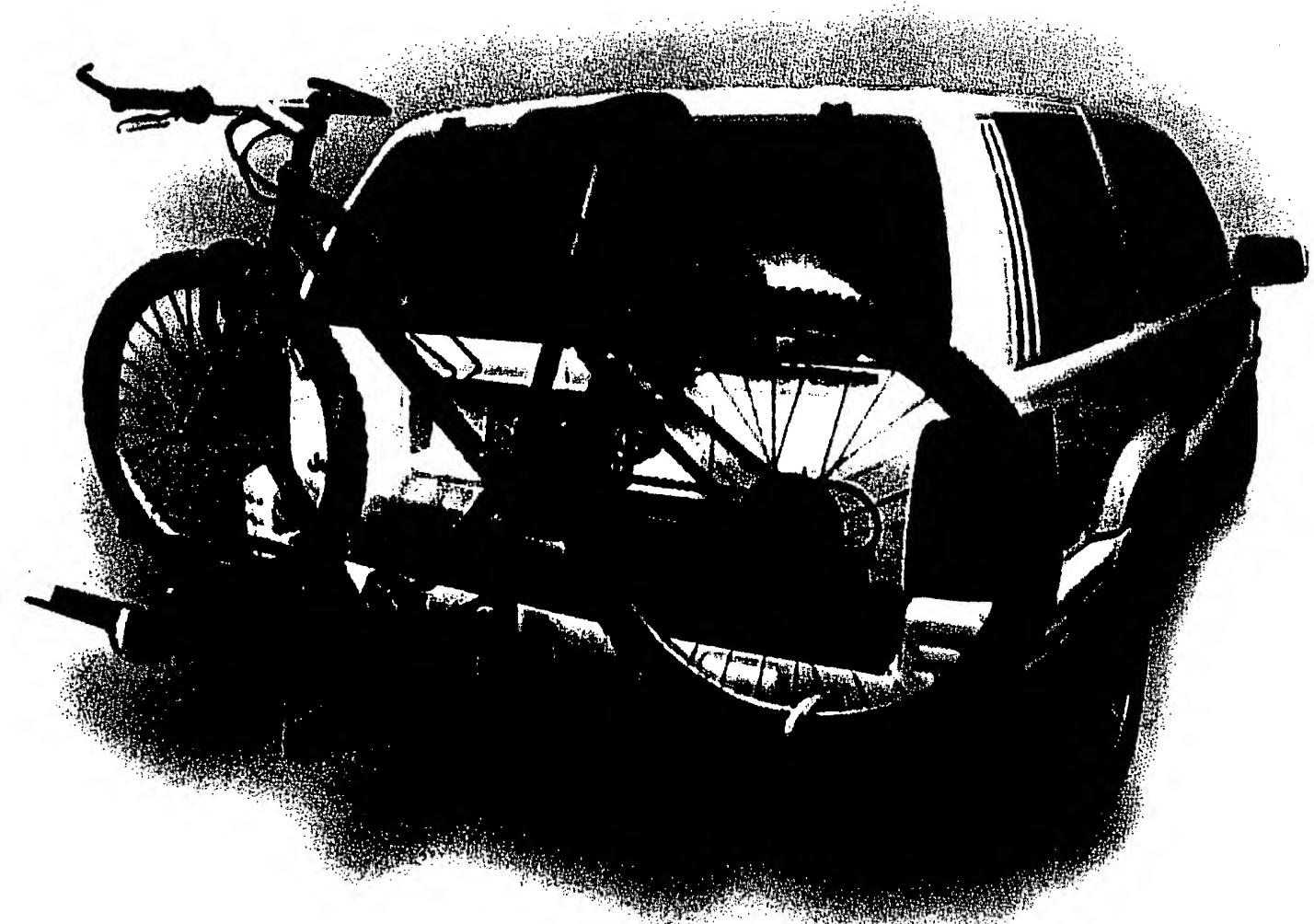
BODY



CORE AS REQD
② SLIDES OVER 2X 2 1/8" ANGLE

TranSport

The easiest way to get your bikes from here to there.



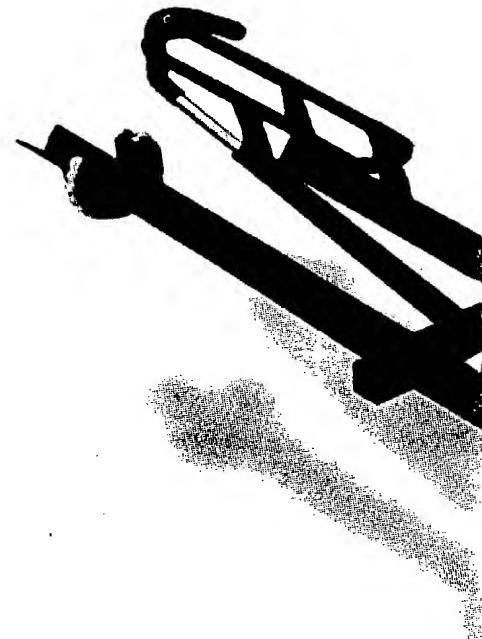
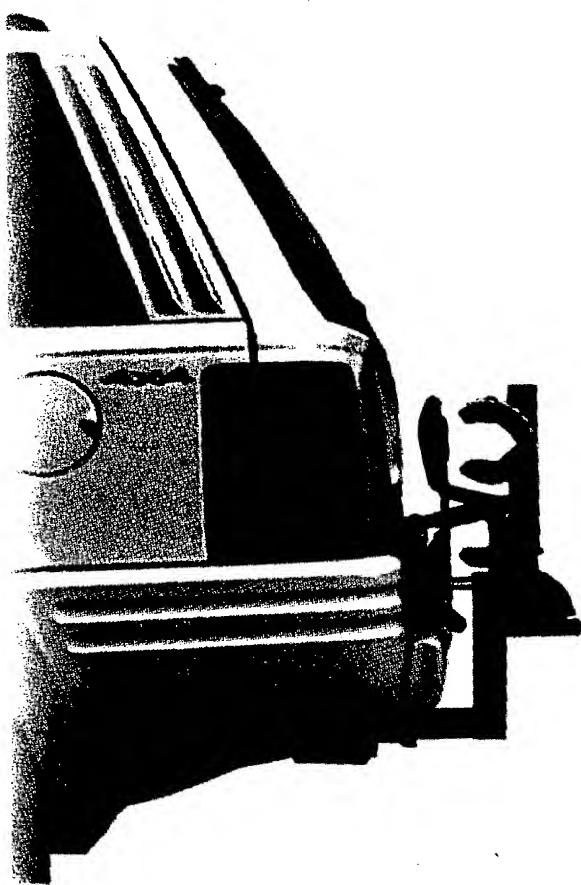
1997

R E C E I V E D

DELLETT AND WALTERS

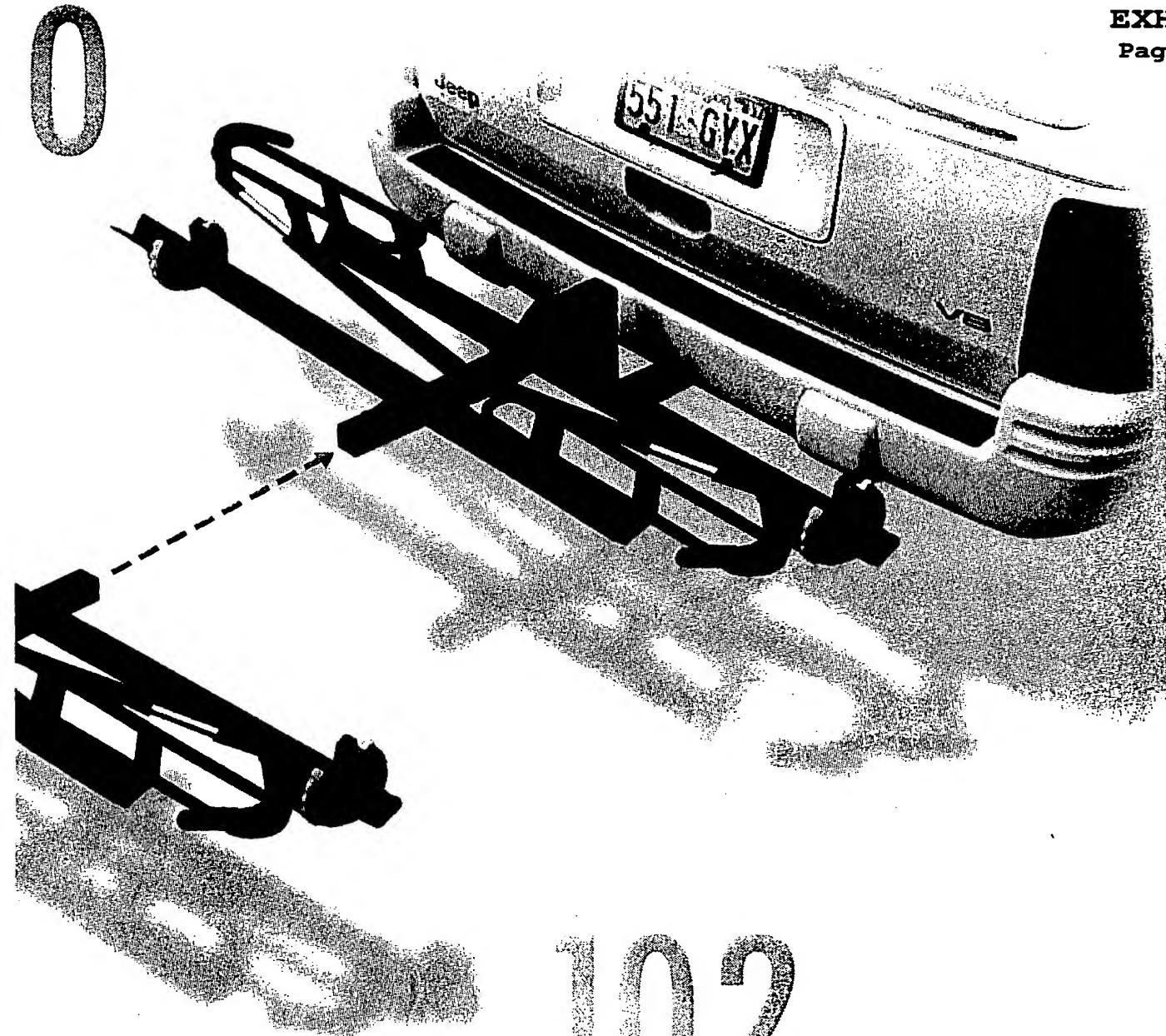
TranSport Model 100

This is our starter unit. It attaches to your 2" trailer hitch and provides you with the simplest two bicycle transport system around. The TranSport 100 can be easily folded up into the vertical position when not in use. The TranSport 100 can be expanded to hold four bikes with the addition of the TranSport 102.



TranSp

The TranSport 102 adds an additional two bicycles to the TranSport 100 and your rear end will fit into the vertical position.



►► Model 102

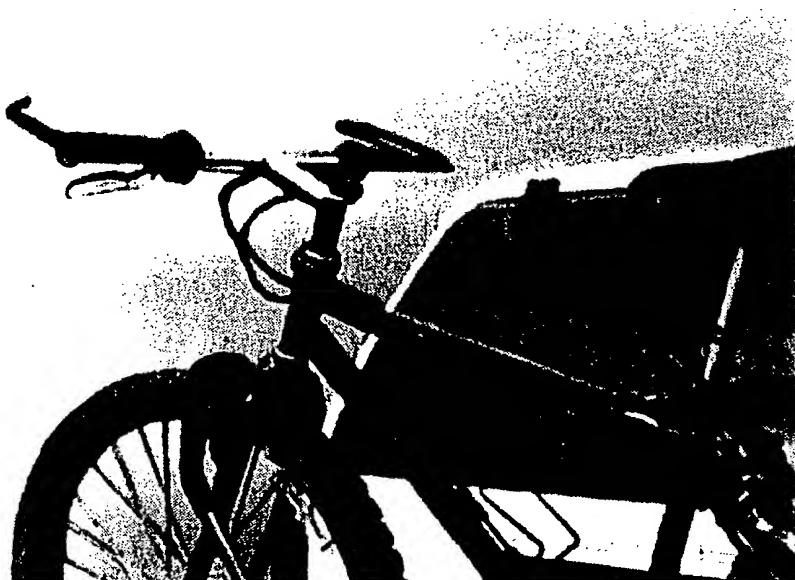
is an add-on accessory that allows for the transport of bikes. Simply plug the TranSport 102 into the TranSport. The combined four bike unit may be folded up into when not in use.



**NO
BUNGIES!**

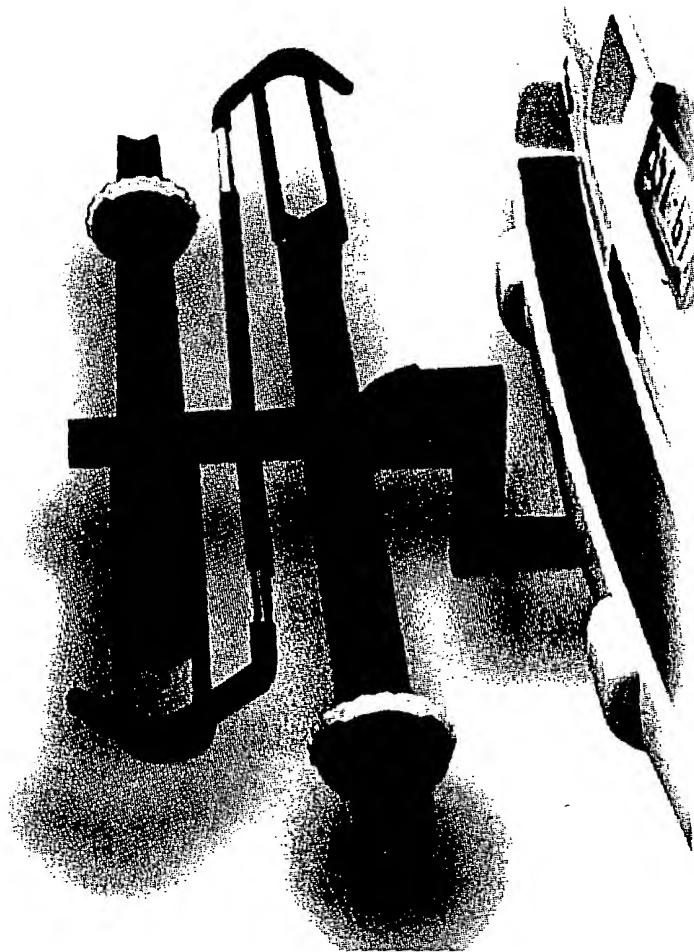
Convenient

Whether it's TranSport's ability to hold any size or type of bike,
Only" load system offers unmatched convenience.

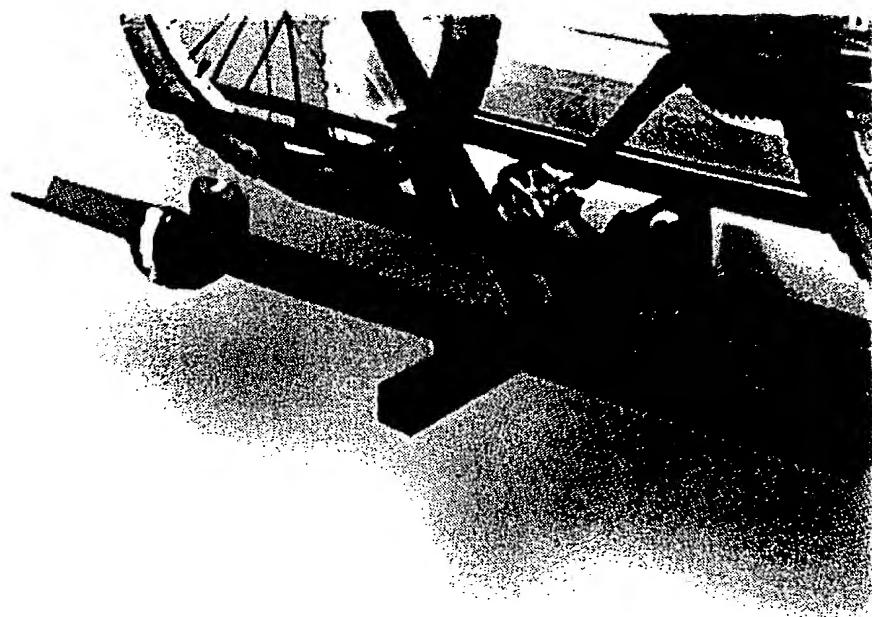


Fast & Simple

No overhead or awkward lifting, no removal of front wheels and TranSport's built in support arm and retention loop alleviates the need for any straps or bungies. If our Moms can use it...well, need we say more?

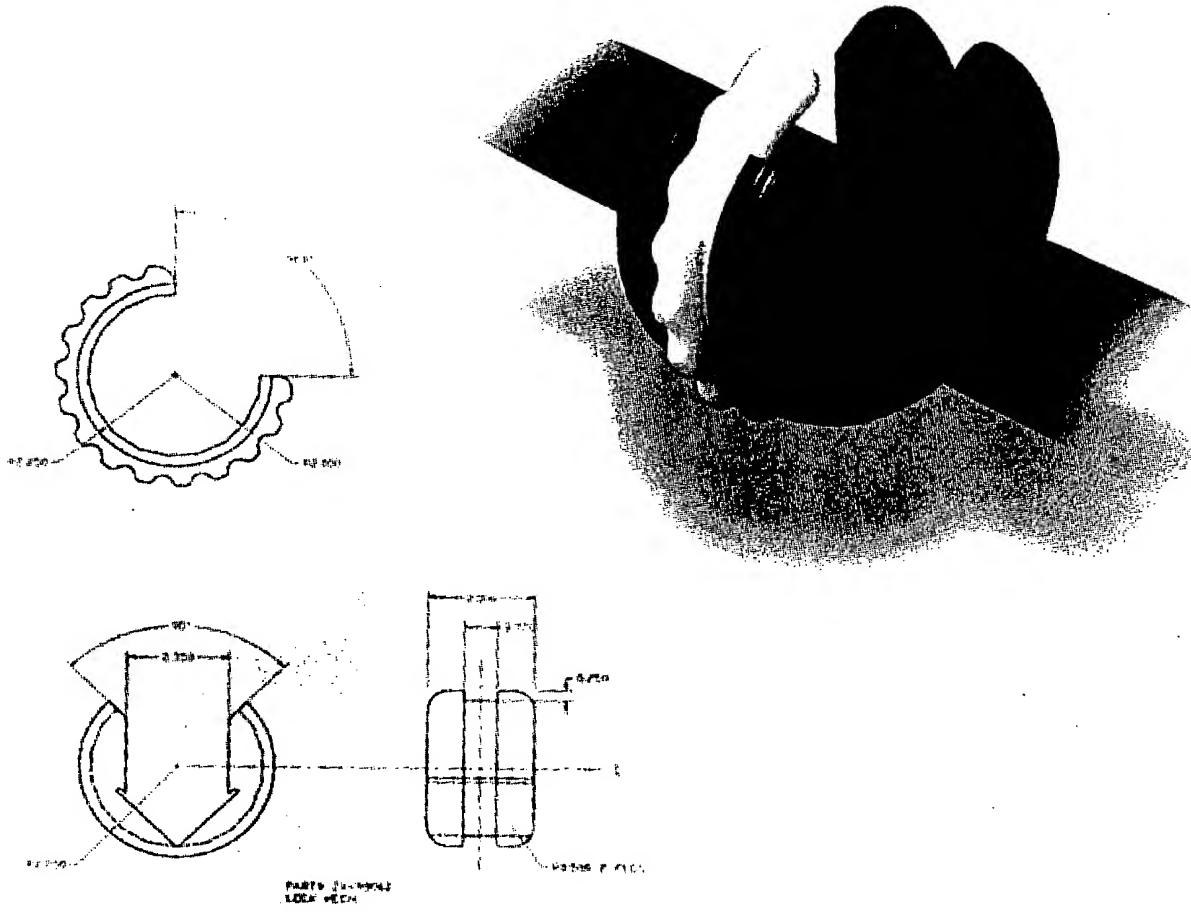


ur "Wheels



Secure

Bikes are independently held by TranSport's "Wheels Only" load system. It's great for unconventional frame configurations, carbon fiber bikes and bikes that don't have top tubes, like many woman's bikes.



Proven

Thousands of racks later the Bike-Rack-for-Buses product is in use by tens of thousands of bicycle commuters all over the US.



TranSport

15500 Wood-Red Rd. NE #C-600
Woodinville, WA 98072
Tel(206) 935-0555
Fax(206) 935-6375

Patent pending

Several years ago our designers took the opportunity to create a really great product. They designed what would become the standard of the industry.....a bike rack for transit buses. It was designed with some very stringent requirements that allowed bike commuters some pretty big conveniences: quick and easy to load, would securely hold any type and nearly any size of bike, required no awkward straps or bungies and a system that wouldn't allow bikes to touch each other or the bus!

Now, thousands of racks later the Bike-Rack-for-Buses product is in use by tens of thousands of bicycle commuters from Cape Cod to San Diego and from Miami to Fairbanks, Alaska.

It took some letters, phone calls and a few years but we're now proud to offer all these great features in a new hitch mounted version of the rack!



EXHIBIT C

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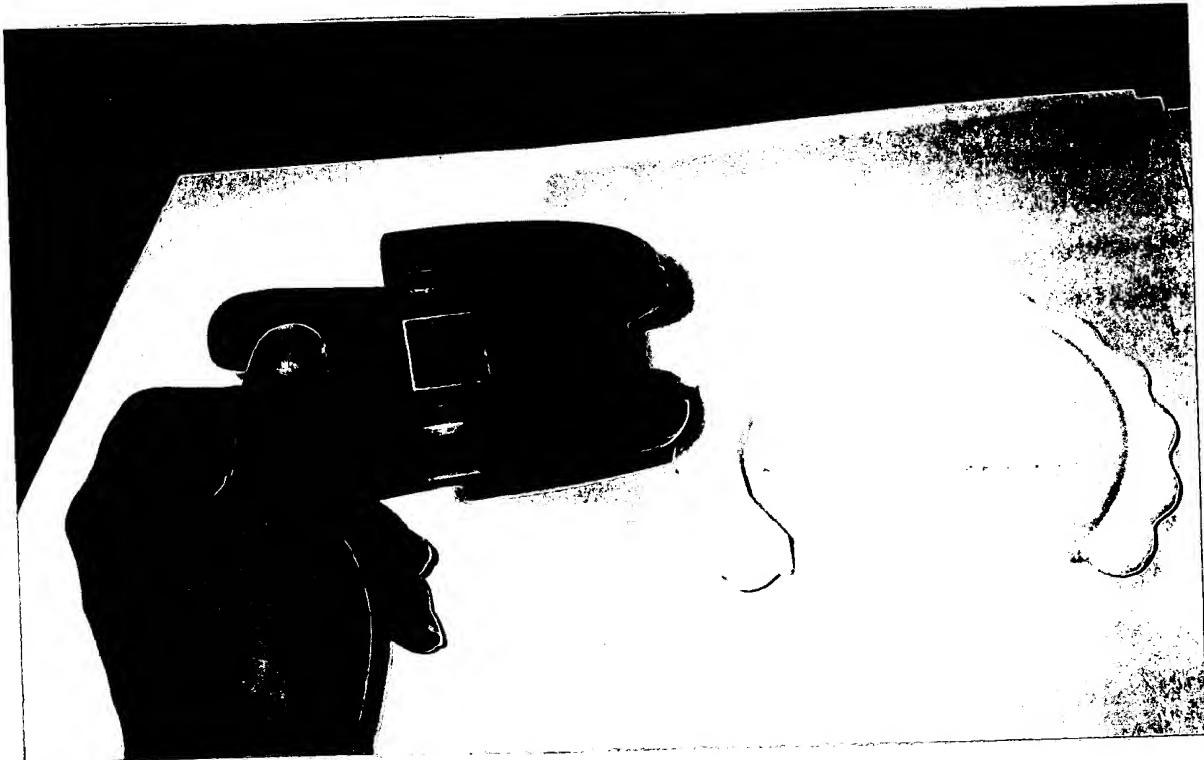
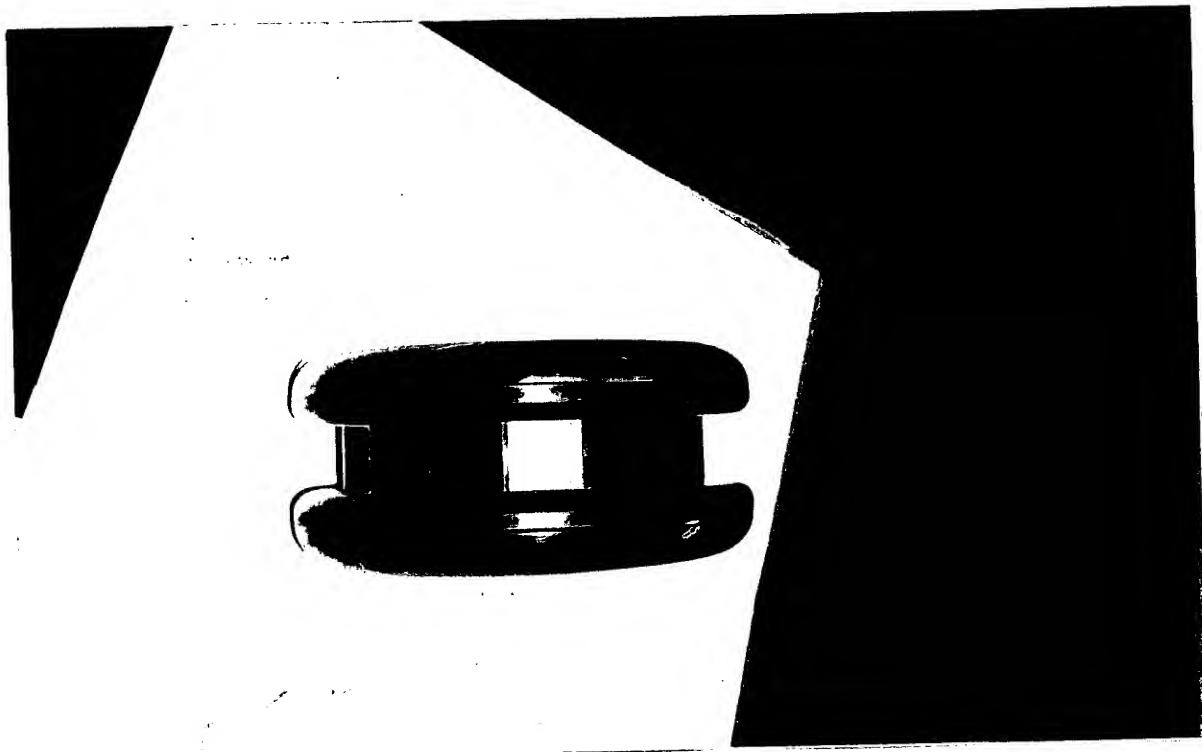


EXHIBIT C

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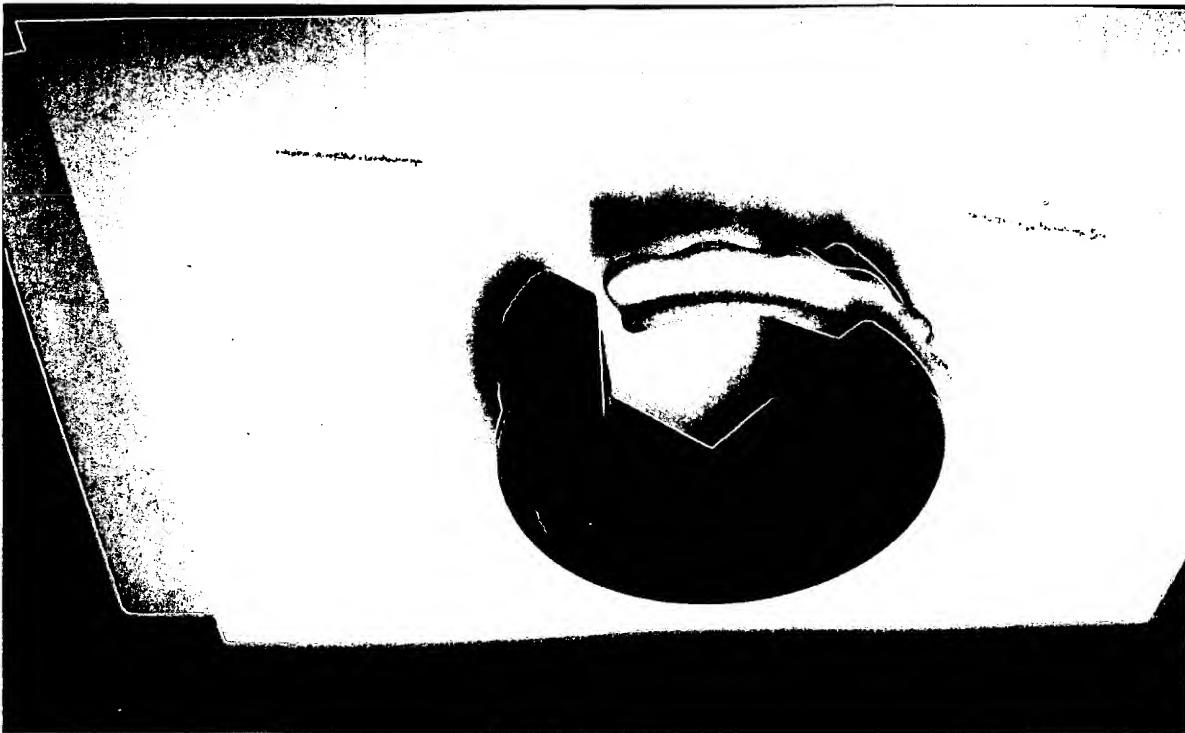


EXHIBIT C

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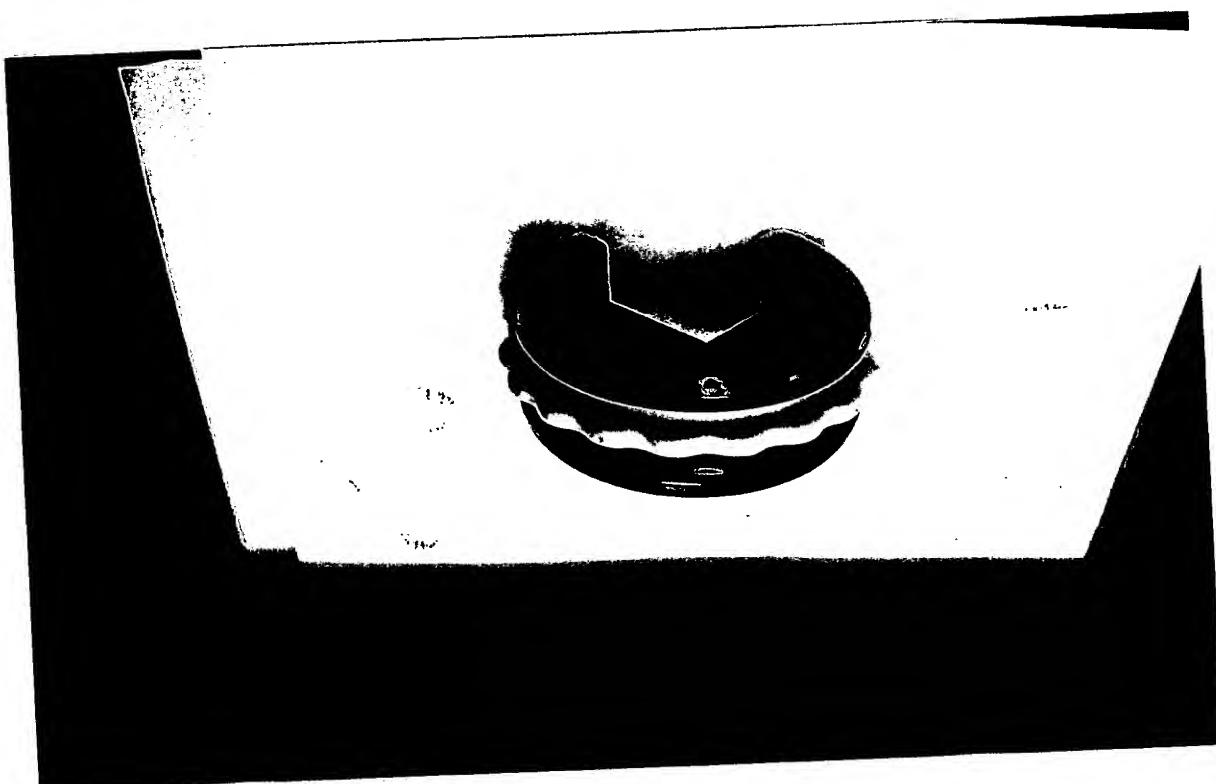
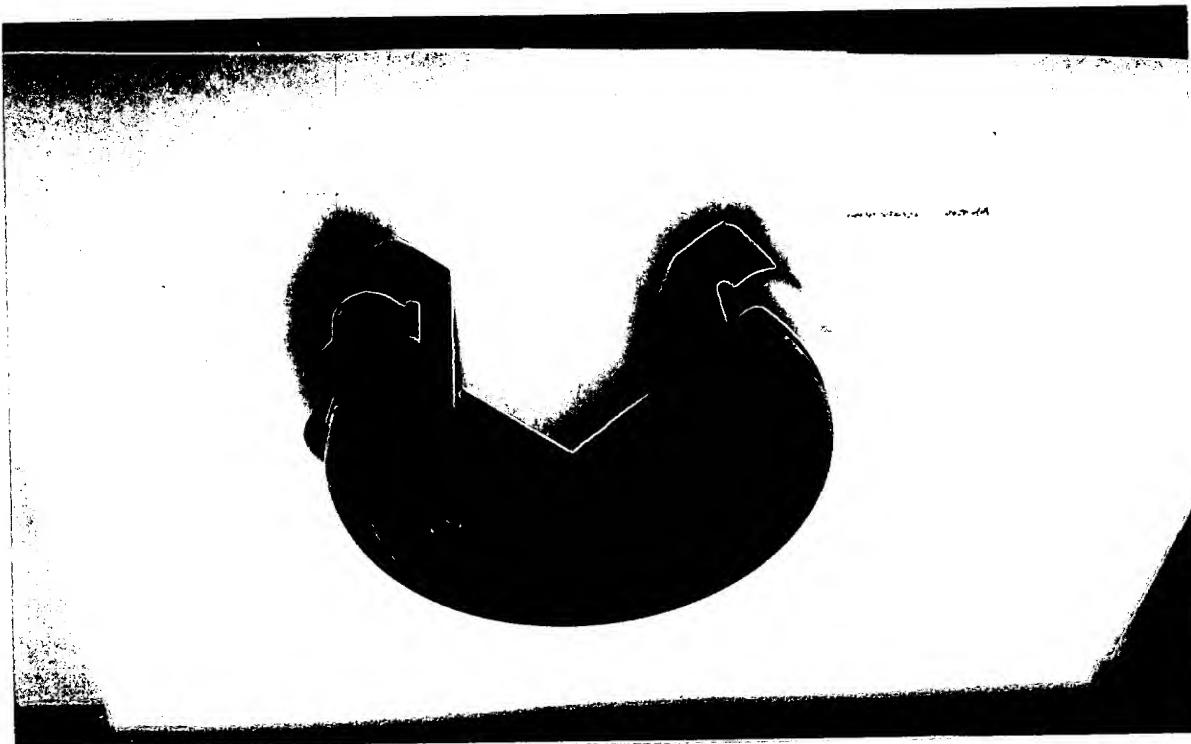


EXHIBIT D

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sportworks

060A 21MK E

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